

REMARKS

The applicant has carefully considered the Office action dated June 18, 2007 and the references it cites. In the Office action, independent claims 1 and 14 were rejected under 35 U.S.C. § 102 as anticipated by Nelson et al. (US 6,601,065) (“Nelson”). By way of the forgoing amendments, claims 1-2, 4-10, 13-15, 17-22, and 29-30 have been amended, claims 26-28 have been cancelled, and new claims 31-33 have been added. In view of the forgoing amendments and the following remarks, reconsideration is respectfully requested.

The applicant respectfully submits that claim 1 is patentable over Nelson. Claim 1 recites a method comprising, *inter alia*, using a received XML tag from a first XML-based message to identify a second XML-based communication message stored in one of a first database or a second database. The second XML-based communication message is recited as having been previously received from the first user, the first XML-based communication message is of a different communication medium than the second XML-based communication message. The method of claim 1 also recites causing a converted message to be stored in association with the second XML-based communication message in the one of the first or second database that stores the second XML-based communication message.

Nelson is directed to a method and apparatus for accessing a database through a network. Nelson does not describe or suggest using a received XML tag from a first XML-based message to identify a second XML-based communication message stored in one of a first database or a second database, wherein the second XML-based communication message was previously received from the first user, and wherein the first XML-based communication message is of a different communication medium than the second XML-based communication message. Rather, Nelson is solely concerned with messages sent via an IP network such as, messages from a computer or messages from an IP telephone. (Nelson, 2:14-19; 2:34-36; and 3:11-22). While the source of the messages in Nelson may vary, the

communication medium is the same for all devices described in Nelson. Nelson provides no suggestion for the ability or desire to handle XML-based based communications being of different communication mediums.

Additionally, Nelson does not describe or suggest causing the converted message to be stored in association with the second XML-based communication message in the one of the first or second database that stores the second XML-based communication message. The Office action argued that Nelson described storing when describing that “a new telephone number for that person, which is to be stored in the user information in place of a prior telephone number.” (Office action, 4:13-16). However, it is clear from the quotation that, even if Nelson describes causing a converted message to be stored, Nelson does not describe storing the first XML-based communication message in association with the second XML-based communication message. Rather, Nelson describes overwriting information in the database with information associated with a received XML-based message. Accordingly, rather than storing in association with information in the database, Nelson describes storing in place of information in the database.

It is well settled that “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051 (Fed. Cir. 1987). Accordingly, because, as detailed above, Nelson fails to describe or suggest at least two of the recitations of claim 1, claim 1 and all claims depending therefrom are in condition for allowance.

Furthermore, none of the other cited art overcomes the deficiencies of Nelson. Accordingly, claim 1 and all claims depending therefrom are in condition for allowance.

The applicant notes that the Office action did not provide any explanation indicating how Nelson describes causing a converted message to be stored in a first database when a reference is associated with a first database or a second database when the reference is associated with the second database. In light of the fact that, as described above the cited portion of Nelson is deficient, if the examiner wishes to maintain the rejection of claim 1 over Nelson, the applicant respectfully requests that that a new non-final Office action be issued that explains how Nelson describes all of the recitations of claim 1.

Claim 14 recites a system comprising, *inter alia*, a mediation web server operable to use a received XML tag from a first XML-based communication message to identify a second XML-based communication message stored in one of a first database or a second database. Claim 14 specifies that the second XML-based communication message was previously received from the first user, and that the first XML-based communication message is of a different communication medium than the second XML-based communication message. The system of claim 14 is to cause the converted message to be stored in association with the second XML-based communication message in the one of the first or second database that stores the second XML-based communication message. As described above, Nelson fails to describe or suggest using a received XML tag from a first XML-based message to identify a second XML-based communication message stored in one of a first database or a second database, wherein the second XML-based communication message has been previously received from the user that sent the first XML-based communication message, and the first XML-based communication message being of a different communication medium than the second XML-based communication message. Nelson also fails to teach or suggest causing a converted message to be stored in association with the second XML-based communication message in the one of the first or second database that

stores the second XML-based communication message. Therefore, for at least the forgoing reasons, claim 14 and all claims depending therefrom are in condition for allowance.

If there are any remaining matters that the examiner would like to discuss, the examiner is invited to contact the undersigned representative at the telephone number set forth below.

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Respectfully submitted,

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